

EXHIBIT 2-2

16-Feb-10

THE SKY LODGE - FIVE YEAR CONSOLIDATED PRO FORMA

	2009	2010	2011	2012	2013	TOTAL
REVENUES						
Resort Operations	4,761,949	6,963,395	8,797,897	11,502,993	13,883,800	45,910,033
Fractional Real Estate Sales	-	1,917,000	6,648,150	7,894,268	9,385,583	25,845,000
Total Revenues	4,761,949	8,880,395	15,446,047	19,397,260	23,269,382	71,755,033
EXPENSES						
Resort Operations	4,570,800	6,427,536	7,763,454	10,031,902	12,082,148	40,875,839
Fractional Real Estate Sales	20,437	321,687	715,371	802,599	831,991	2,692,084
Total Expenses	4,591,237	6,749,223	8,478,825	10,834,500	12,914,138	43,567,923
NET INCOME	170,712	2,131,172	6,967,222	8,562,760	10,355,244	28,187,110
FIXED EXPENSES						
Easy Street Partners - A&G	166,604	80,125	35,000	35,000	35,000	351,729
Capital Expenditures	300,000	170,850	175,958	230,060	277,676	854,544
WestLB - Legal & Other	472,787	400,000				700,000
Easy Street Partners -Legal & Other		948,100				1,420,887
Residential Condo Property Taxes		40,000	34,000	14,000	-	88,000
Loan Interest	102,000	819,735	937,544	629,039	260,272	2,748,590
Developer HOA Residential Fees	267,395	402,184	394,284	278,800	147,000	1,489,664
Developer HOA Commercial Fees	275,321	240,672	247,893	255,329	262,989	1,282,205
Total Fixed Expenses	1,584,107	3,101,667	1,824,678	1,442,228	982,938	7,351,511
Net Cash Available	(1,413,395)	(970,495)	5,142,544	7,120,531	9,372,306	19,251,491

	2009	2010	2011	2012	2013	TOTAL
CASH POSITION						
Working Cash Reserves	3,109,504	1,696,109	(550,636)	(154,316)	366,215	
Add: Cash to Reserves	(1,413,395)	(970,495)	5,142,544	7,120,531	9,372,306	
Less: Cash Distributions		(1,276,250)	(4,746,224)	(6,600,000)	(9,400,000)	
Ending Cash Balance	1,696,109	1	(550,636)	366,215	338,521	
CASH DISTRIBUTIONS						
Loan Principal Paydowns**	-	1,276,250	4,746,224	5,673,335	4,004,191	15,700,000
ESP Distribution	-	-	-	926,665	5,395,809	6,322,474
Total	-	1,276,250	4,746,224	6,600,000	9,400,000	22,022,474

****Notes** 80% of Net Real Fractional Sales to WestLB

1. These negative cash balances will be covered by the \$2 million of additional capital being provided by the Plan Funder. Additionally, the deferred payments to Class 4 general unsecured creditors are not reflected in this business plan and will be funded by the additional capital being provided by the Plan Funder.

THE SKY LODGE - FIVE YEAR HOTEL OPERATION PRO FORMA

2/11/10

HOTEL PROJECTED OCCUPANCY

Transient Occupancy
Owner Occupancy
Room Nights Sold
Room Nights Occupied
ADR
% of Project Sold Out - Year End

PROPERTY MANAGEMENT OCCUPANCY

Number of Properties
Transient Occupancy
Room Nights Sold
ADR

REVENUE

Hotel Rooms Revenue
Property Management Revenue
F&B Revenue
Spa Revenue
Sky Club Membership
Zoom Rental Revenue
TOTAL REVENUE

TOTAL OPERATING EXPENSES

NET OPERATION PROFIT/(LOSS)

Sky Lodge Owner Rental Commissions
Property Management Rental Commissions
Management Fees
Property Taxes

NET OPERATIONAL PROFIT/(LOSS)

(After owner rental commissions and management fees)

2009	2010	2011	2012	2013
39.80%	52.33%	56.48%	63.70%	67.14%
34.60%	44.24%	48.00%	54.00%	56.00%
5.20%	8.12%	8.48%	9.70%	11.14%
3,942	5,325	5,782	6,504	6,745
4,893	6,303	6,803	7,673	8,087
\$481.77	\$459.69	\$496.46	\$521.29	\$547.35
64.20%	67.05%	76.70%	88.07%	100.00%
	10	25	50	70
	24.5%	26.0%	26.0%	26.0%
	537	2,373	4,745	6,643
\$	\$ 459.69	\$ 475.00	\$ 498.75	\$ 523.69
2,025,639	2,761,890	3,157,394	3,729,672	4,061,198
1,987,198	385,360	1,126,938	2,366,569	3,478,856
295,878	2,652,798	3,183,358	3,820,029	4,584,035
285,120	599,747	680,287	843,998	929,971
168,114	369,600	446,220	528,840	605,160
	194,000	203,700	213,885	224,579
4,761,949	6,963,395	8,797,897	11,502,993	13,883,800
3,820,775	5,373,832	5,978,607	7,144,089	8,189,074
941,174	1,589,563	2,819,290	4,358,903	5,694,725
539,271	612,302	749,759	1,013,246	1,266,766
166,930	147,683	676,163	1,419,941	2,087,314
43,824	243,719	307,926	402,605	485,933
	50,000	51,000	52,020	53,060
191,149	535,859	1,034,442	1,471,091	1,801,652

* These fees do not include Mr. Shoaf's compensation from the Reorganized Debtor.

1/31/10

THE SKY LODGE - FIVE YEAR HOTEL OPERATION PRO FORMA

OWNER USAGE ESTIMATE

	2009	2010	2011	2012	2013
Number of Owners - Start of Year	113	113	118	135	155
% Increase over Prior Year		0%	4%	14%	15%
Owner Usage by Month					
Jan	174	149	156	178	204
Feb	131	68	71	81	93
Mar	107	138	144	165	189
Apr	43	83	87	99	114
May	7	36	38	43	49
Jun	38	68	71	81	93
Jul	123	137	143	164	188
Aug	64	63	66	75	86
Sep	55	59	62	70	81
Oct	46	42	44	50	58
Nov	51	18	19	22	25
Dec	112	117	122	140	160
Total Annual Owner Days Used	951	978	1,021	1,168	1,342
Average Days Per Owner	8.42	8.65	8.65	8.65	8.65

OWNER RENTAL COMMISSION ESTIMATE

	2009	2010	2011	2012	2013
Gross Hotel Room Revenue	1,899,137	2,447,845	2,870,358	3,390,611	3,691,998
Net Owner Commissions	539,271	612,302	749,759	1,013,246	1,266,766
Percent of Gross Room Revenue	28.4%	25.0%	26.1%	29.9%	34.3%

THE SKY LODGE - REAL STATE PRO - FORMA

2/11/10

PROJECTED FRACTIONAL SALES

	2009	2010	2011	2012	2013	TOTAL
Two Bedroom Fractions	0	1	5	5	0	11
Three Bedroom Fractions	0	3	7	10	17	37
Deluxe Three Bedroom Fractions	0	1	5	5	4	15
Total Fractions Sold	0	5	17	20	21	63
% of Project Sold Out	64.20%	67.05%	76.70%	88.07%	100.00%	
Units Remaining to be Sold	63	58	41	21	0	

REVENUE

Two Bedroom Fractions	0	275,000	1,416,250	1,155,000	0	2,846,250
Three Bedroom Fractions	0	1,167,000	2,761,900	4,145,768	7,290,833	15,365,500
Deluxe Three Bedroom Fractions	0	475,000	2,470,000	2,593,500	2,094,750	7,633,250
TOTAL REVENUES	0	1,917,000	6,648,150	7,894,268	9,385,583	25,845,000

EXPENSES

Commissions	0	115,020	398,889	473,656	563,135	1,550,700
Closing Costs	0	19,170	66,482	78,943	93,856	258,450
Marketing & Administration	20,437	187,497	250,000	250,000	175,000	882,934
TOTAL EXPENSES	20,437	321,687	715,371	802,599	831,991	2,692,084

NET OPERATION PROFIT/(LOSS)

-20,437	1,595,313	5,932,780	7,091,669	8,553,592	23,152,916
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EXHIBIT 2-3

**THE SKY LODGE
CAPITAL BUDGET 2010**

DEPARTMENT	EXPENDITURE	PROJECT DESCRIPTION
FOOD & BEVERAGE		
Upgrade of Current Meeting Space		Project Overview
* Upgrade carpet area to slate floors & area rugs		Upgrade of the current PDR to provide a more flexible space that can not only accommodate meetings but provide a venue that is an extension of the Bar Bohme for hotel special events & private parties
Slate Floor 2,400 sq ft @\$12/ft	18,500.00	Project Benefits
Area carpets	1,600.00	Upgrades will make the area more valuable during Sundance Film Festival were nightly rental can be \$15,000. Will provide a year round venue for weddings, special event dinners, and expansion of Bar Bohme during peak days and major sports events.
* Ceiling Mount for HD Big Screen	2,500.00	
	<u>22,600.00</u>	
Renovate Bakery to Events Room		Project Overview
* Remove current FFE	1,000.00	The current bakery operations does not provide a positive cash flow.
* Patch in floor to match the old wood now in place	7,500.00	With breakfast service in the main restaurant the function filled by this outlet can be moved to Easy Street with little additional cost. This space can be refitted to be an events room that can sold to in house and outside groups.
* Repaint	250.00	Project Benefits
* Upgrade lighting	1,500.00	Eliminates a current operation that is a drain on the bottom line and increases the venues for special events that can be sold throughout the year.
* Décor and FFE	3,500.00	
	<u>13,750.00</u>	
Wood Buring Pizza Ovens		Project Overview
Wine Room		Place a wood burning oven in the current service bar
Oven	5,500.00	
Hood	3,500.00	
Install & Equipment	4,500.00	
Plaza		
Oven	5,500.00	
Other Equip & Install	6,500.00	
	<u>25,500.00</u>	

DEPARTMENT	EXPENDITURE	PROJECT DESCRIPTION
FOOD & BEVERAGE		
Upgrade Sky Club		
FFE & Curtains	30,000.00	Project Overview
Install Theatrical Lighting on Deck	12,500.00	Replace current lounge furniture with more comfortable product
Décor & Smallwares	5,000.00	Improve deck visibility and punch with accent lighting
	<u>47,500.00</u>	
ACCOUNTING		
Upgrade SMS Front Office System		Project Overview
* Programmers time		The current programming for the front office system does not properly take full advantage of the capabilities of the system as it pertains to efficiencies and reporting.
2 programmers & \$850/day for 5 days	8,500.00	
* Airfare and other costs	3,000.00	
	<u>11,500.00</u>	Project Benefits
		Adjustments to the programming and set up will allow the accounting department to eliminate a number of manually executed worksheets to improve accuracy and efficiency.
Convert Back Office System		Project Overview
* New software	27,500.00	The current back office system is DOS based and the system will not be converted to window format in the future. The lack of proper interface with SMS front office and other window based programs creates many interface problems
		Project Benefits
		Streamline the transfer and management of all accounting related efforts and provides a more effective accounting system.
HOTEL		
UPGRADE HOTEL ENTRANCE		Project Overview
* Install theatrical lighting in entry and courtyard	10,000.00	The current entry for the hotel does not sufficient curb appeal and visual prescence. Need to improve the overall first impression of this area.
* Add décor items and landscape	5,000.00	
* Reupholster entry furniture	2,000.00	
	<u>17,000.00</u>	

DEPARTMENT	EXPENDITURE	PROJECT DESCRIPTION
HOUSEKEEPING/EMPLOYEE AREA		
Enclose NE area of garage for new employee break area and storage.	4,500.00	Project Overview Previous employee break area converted to accounting offices to allow cancellation of Gateway offices (savings of \$120k per yr). Project would enclose area of gargage used for storage to provide a climate controlled area.
GUEST COMPUTERS	1,000.00	Project Overview Two loaner lap tops for guest use.
TOTAL CAPITAL INVESTMENTS		170,850.00

EXHIBIT F

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Steven J. McCardell (smccardell@djplaw.com) (2144)
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Michael V. Blumenthal (mblumenthal@crowell.com) (admitted pro hac vice)
Steven B. Eichel (seichel@crowell.com) (admitted pro hac vice)
CROWELL & MORING LLP
590 Madison Avenue, 20th Floor
New York, NY 10022
Telephone: (212) 223-4000/Fax: (212) 223-4134

Counsel for Debtors and Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:)	
)	
EASY STREET HOLDING, LLC, <i>et. al.</i>	)	Bankruptcy Case No. 09-29905
	)	Jointly Administered with Cases
Debtors	)	09-29907 and 09-29908
	)	(This Notice affects only Case No.
	)	09-29907 – Easy Street Partners, LLC)
Address: 201 Heber Avenue)	
Park City, UT 84060)	
	)	Chapter 11
Tax ID Numbers:)	
35-2183713 (Easy Street Holding, LLC),)	
20-4502979 (Easy Street Partners, LLC), and	)	Honorable R. Kimball Mosier
84-1685764 (Easy Street Mezzanine, LLC))	
)	

**NOTICE OF HEARING ON CONFIRMATION
OF PLAN AND RELATED DEADLINES**

PLEASE TAKE NOTICE THAT:

1. East Street Partners, LLC (“Partners” or the “Debtor”) has filed the Amended Plan of Reorganization of Easy Street Partners, LLC dated February 17, 2010 (the “Plan”) and is now seeking confirmation of the Plan. If you object to confirmation of the Plan, the Court has

established a deadline of **Monday, March 22, 2010 at 4:30 p.m. Mountain Time** by which you must file a written objection with the Court. At the same time, you must also serve a copy of the objection so that it is actually received by the following parties by the stated deadline (the “Notice Parties”): (1) counsel to the Debtors, Crowell & Moring LLP, 590 Madison Avenue, 20th Floor, New York, NY 10022, Attn: Michael V. Blumenthal, Esq.; (2) co-counsel to the Debtors, Durham Jones & Pinegar, P.C., 111 East Broadway, Suite 900, P.O. Box 4050, Salt Lake City, UT 84111-4050, Attn: Kenneth L. Cannon II, Esq.; (3) counsel to the Official Committee of Unsecured Creditors, Jones Waldo Holbrook & McDonough, PC, 170 South Main Street, Suite 1500, Salt Lake City, UT 84101, Attn: Lon A. Jenkins, Esq.; and (4) the Office of the United States Trustee, 405 South Main Street, Suite 300, Ken Garff Building, Salt Lake City, UT 84111, Attn: John T. Morgan, Esq.; and (5) counsel for WestLB, AG, Sidley Austin LLP, 555 West Fifth Street, Los Angeles, CA 90013 (Attn: Richard W. Havel, Esq.

2. If you are eligible to vote on the Plan, you will receive a Ballot for voting on the Plan. The deadline for submitting Ballots accepting or rejecting the Plan is **Monday, March 22, 2010 at 4:30 p.m. Mountain Time**. To be counted, properly executed and completed ballots must be returned so as to be actually received by that deadline to: Michael V. Blumenthal, Esq., Crowell & Moring, LLP 590 Madison Avenue, New York, New York 10022. For more information on completing and submitting the Ballot, please carefully read the instructions accompanying the Ballot. CROWELL & MORING LLP CANNOT GIVE YOU LEGAL ADVICE. IF YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD CONSULT A LAWYER.

3. IF YOU HOLD OR HAVE ASSERTED CLAIMS AGAINST THE DEBTOR THAT ARE IN A CLASS THAT IS NOT IMPAIRED UNDER THE PLAN, YOU ARE NOT ELIGIBLE TO VOTE ON THE PLAN. PURSUANT TO SECTION 1126(f) OF THE UNITED STATES BANKRUPTCY CODE, YOU ARE (i) DEEMED TO HAVE VOTED TO ACCEPT THE PLAN AND (ii) NOT ENTITLED TO VOTE TO ACCEPT OR REJECT THE PLAN AS A HOLDER OF SUCH CLAIM. ACCORDINGLY, THIS NOTICE AND THE CONFIRMATION HEARING NOTICE ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. IF YOU HAVE ANY QUESTIONS ABOUT THE STATUS OF YOUR CLAIM(S), YOU SHOULD CONTACT THE DEBTOR’S COUNSEL, CROWELL & MORING LLP, 590 MADISON AVENUE, 20th FLOOR, NEW YORK, NY 10022, TEL. NO. (212) 223-4000. CROWELL & MORING LLP CANNOT GIVE YOU LEGAL ADVICE. IF YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD CONSULT A LAWYER.

4. If any party serves and files an objection to your claim on or before March 1, 2010, such claim will be temporarily disallowed for voting purposes only (and not for the purposes of allowance or distribution), except to the extent the Court temporarily allows such claim for voting purposes only pursuant to a timely-filed motion under Fed.R.Bankr.P. 3018(a). Any motion to have a claim temporarily allowed for voting purposes pursuant to Fed.R.Bankr.P. 3018(a) must be filed with the Court and served on the Notice Parties, together with evidence in support thereof, so that it is actually received on or before **Thursday, March 18, 2010 at 4:30 p.m. Mountain Time**. Any such motion that is timely filed and served will be heard on

Tuesday, March 30, 2010 at 1:30 p.m., Mountain Time, before the Honorable R. Kimball Mosier, Room 369, Frank E. Moss United States Courthouse, 350 South Main Street, Salt Lake City, Utah 84101.

5. Copies of the Plan and Disclosure Statement may be obtained upon request by contacting the Debtor's counsel at (212) 223-4000, or by written request directed to: Crowell & Moring LLP, 590 Madison Avenue, 20th Floor, New York, NY 10022, Attn: Michael V. Blumenthal, Esq.

6. The Debtor will file a Plan Supplement on or before Monday, March 15, 2010. The Order (A) Approving Disclosure Statement With Respect To Amended Plan Of Reorganization Of Easy Street Partners, LLC, Dated February 17, 2010 (B) Establishing A Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing (the "Disclosure Statement Order"), a copy of which is enclosed without exhibits, provides that the Debtor shall serve copies of the Plan Supplement on certain parties. You may also receive a copy of the Plan Supplement when it is filed by submitting no later than March 8, 2010, a request to counsel for the Debtor, Steven B. Eichel, Crowell & Moring, 590 Madison Avenue, 20th Floor, New York, NY 10022, telephone: (212) 223-4000, facsimile: (212) 223-4134, email: seichel@crowell.com, or Kenneth L. Cannon II, Durham, Jones & Pinegar, 111 East Broadway, Suite 900, P.O. Box 4050, Salt Lake City, UT 84111-4050, telephone: (801) 415-3000, facsimile: (801) 415-3500, email: kcannon@djplaw.com. You may also receive a copy of the Plan Supplement after March 15, 2010, by requesting a copy from Debtor's counsel.

7. A HEARING TO CONSIDER CONFIRMATION OF THE PLAN WILL BE HELD on **Tuesday, March 30, 2010 at 1:30 p.m. Mountain Time** (the "Confirmation Hearing"), before the Honorable R. Kimball Mosier, Room 369, Frank E. Moss United States Courthouse, 350 South Main Street, Salt Lake City, Utah 84101. The Confirmation Hearing may be continued at any time; however, if continued other than at the scheduled Confirmation Hearing, the Debtor shall send a notice of the adjourned date by first class U.S. mail.

8. **Please take further notice that the Plan contains an injunction against taking certain actions. Please consult the Disclosure Statement for a complete explanation of the injunctions set forth in the Plan.**

9. In addition to the matters described in this notice, the Court has established various procedures and deadlines in connection with voting and confirmation of the Plan, which are set forth in the Disclosure Statement Order, a copy of which is enclosed.

Dated this 25th day of February, 2010.

DURHAM JONES & PINEGAR, P.C.

By: /s/ Kenneth L. Cannon II
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and

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EXHIBIT G

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Counsel for Debtors and Debtors in Possession

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:)	
)	
EASY STREET HOLDING, LLC, <i>et. al.</i>	)	Bankruptcy Case No. 09-29905
	)	Jointly Administered with Cases
Debtors	)	09-29907 and 09-29908
	)	(This Order affects only Case No. 09-29907-
	)	Easy Street Partners, LLC)
Address: 201 Heber Avenue)	
Park City, UT 84060)	
	)	Chapter 11
Tax ID Numbers:)	
35-2183713 (Easy Street Holding, LLC),	)	Honorable R. Kimball Mosier
20-4502979 (Easy Street Partners, LLC), and)	
84-1685764 (Easy Street Mezzanine, LLC))	
)	

**ORDER (A) APPROVING AMENDED DISCLOSURE STATEMENT WITH RESPECT TO
AMENDED PLAN OF REORGANIZATION OF EASY STREET PARTNERS, LLC,
DATED FEBRUARY 18, 2010, (B) ESTABLISHING A RECORD DATE,
(C) APPROVING SOLICITATION PROCEDURES, (D) APPROVING FORMS OF BALLOTS
AND VOTING PROCEDURES, AND (E) APPROVING NOTICE
AND SCHEDULING CONFIRMATION HEARING**

Easy Street Partners, LLC (“Partners” or the “Debtor”) filed an amended disclosure statement dated February 18, 2010 (the “Disclosure Statement”) with respect to the Amended Plan of Reorganization of Easy Street Partners, LLC, dated February 18, 2010 (the “Plan”). The hearing on the adequacy of the Disclosure Statement came on for hearing as scheduled on February 18, 2010. Appearances of counsel were made on the record. The Disclosure Statement contained numerous changes and additions made to the initial disclosure statement filed on January 15, 2010, which addressed the objections filed on February 12, 2010 (collectively, the “Objections”) by WestLB AG, BayNorth Realty Fund VI, LP, the Official Unsecured Creditors’ Committee for Easy Street Partners, LLC (the “Creditors’ Committee”), and by certain Fractional Unit Owners (the “Fractional Unit Owners”). At the hearing, the Debtor agreed to make additional modifications and additions to the Disclosure Statement. The Court, having reviewed the Disclosure Statement and the modifications proposed thereto by Partners, having found that notice of the hearing on the adequacy of the Disclosure Statement and of the right to object to the Disclosure Statement is sufficient, and having determined that the Disclosure Statement contains adequate information; it is hereby ORDERED as follows:

1. **Approval of Disclosure Statement.** Upon consideration of the Disclosure Statement, the responses and objections thereto (the “Objections”), and the record of the hearing held to consider the adequacy of the Disclosure Statement, at which the Debtor agreed to further additions and modifications to the Disclosure Statement, the Court determines after due deliberation that the Disclosure Statement contains adequate information as defined in 11 U.S.C. § 1125 and that the granting of the relief sought is in the best interests of the Debtor’s estate, and

the Disclosure Statement is hereby APPROVED and all Objections that were not withdrawn prior to entry hereof are OVERRULED.

2. The following procedures and deadlines shall govern with respect to the Plan:

(A) **Record Date.** February 18, 2010, which is the date of the conclusion of the hearing to approve the Disclosure Statement, shall serve as the record date (the “Record Date”) for the purposes of Fed. R. Bankr. P. 3017.

(B) **Distribution of Solicitation Package.**

(i) A “Solicitation Package” means a package (or multiple packages) of documents containing copies of the following documents: (a) the Disclosure Statement (together with the Plan annexed thereto as Exhibit A); (b) the appropriate Ballot(s) and voting instructions (as described below); (c) the Confirmation Hearing Notice; and (d) this order, without exhibits (the “Order”).

(ii) On or before the Deadline for Service of Solicitation Packages, the Debtor shall cause a Solicitation Package to be sent by first-class mail to: (i) all persons or entities that, as of the Record Date, have timely filed proofs of claim, (ii) all persons or entities listed in Partners’ Schedules as of the Record Date, provided that the amount scheduled for such person or entity is greater than zero dollars (\$0.00) according to the Schedules and is not listed as contingent, unliquidated or disputed; (iii) other known holders of liquidated, noncontingent and undisputed general unsecured claims against the Debtor, if any, as of the Record Date; (iv) any parties in interest that have filed and served a request for notice in the Debtor’s Chapter 11 case on or before the date of service (the “2002 Notice Parties”); (v) counsel to the Creditors’ Committee; and (vi) the Office of United States Trustee; provided, however, that the Debtor is not required to serve Solicitation Packages upon holders of claims or interests that are in a class of the Plan that is deemed to accept the Plan under § 1126(f) of the Bankruptcy Code (i.e., Class 3). To the extent any party asserts more than one claim in the same class, the Debtor shall serve upon such party one Ballot for each claim although such party shall receive only one Solicitation Package.

(iii) The Debtor shall mail to holders of claims or interests who are not entitled to vote the Confirmation Hearing Notice, substantially in the form approved in this order, as applicable. It shall not be necessary for

the Debtor to mail copies of the Plan or Disclosure Statement to holders of claims or interests who are not entitled to vote, provided that the Debtor shall mail copies to any such holders that contact the Debtor and request that copies be provided.

(iv) In the event any delivery is returned by the United States Postal Service as undeliverable, the Debtor may, but is not required to, re-mail any Solicitation Packages or Confirmation Hearing Notices, as the case may be, to entities whose addresses in the database of the Debtor as of the Record Date are incorrect or insufficient, so long as they are substantially the same as the Debtor's books and records or the addresses listed in the entities' proof(s) of claim. If a creditor has changed its mailing address on or after the Petition Date, the burden shall be upon the creditor, not the Debtor, to advise the Debtor of the new address.

(C) **Voting and Tabulation Procedures.**

(i) The ballot transmitted in each Solicitation Package shall be substantially in the form attached hereto as Exhibits B, C, D, E, and F, respectively (the "Ballots").

(ii) **Specific Requirements of Ballots.**

(a) In order for a Ballot to be counted in voting to accept or reject the Plan, the party submitting such Ballot must comply with all of the voting instructions attached to each of the Ballots. The voting instructions attached to each of the Ballots is approved and incorporated into these procedures by reference.

(b) In order for a Ballot to be counted in voting to accept or reject the Plan, the properly executed and completed Ballot must be delivered to Michael V. Blumenthal, Esq., Crowell & Moring, LLP 590 Madison Avenue, New York, NY 10022 (I) by first class mail, in the return envelope provided with each Ballot, (II) by overnight courier, or (III) by personal delivery so that it is **actually received** no later than Voting Deadline. Ballots not properly submitted in compliance with these procedures **will not be counted**.

(c) The following types of Ballots will not be counted in determining whether the Plan has been accepted or rejected:

(I) Any Ballot received after the Voting Deadline unless the Debtor or the Court extends the Voting Deadline with respect to such Ballot;

(II) Any Ballot that is illegible or contains insufficient information to permit the identification of the creditor;

(III) Any Ballot cast by a person or entity that does not hold a claim or an interest in a class that is entitled to vote on the Plan;

(IV) Any Ballot cast for a claim or interest (i) scheduled as unliquidated, contingent or disputed for which no proof of claim has been filed or (ii) which is subject to a pending objection, and which has not been temporarily allowed for voting purposes pursuant to Fed. R. Bankr. P. 3018(a); and

(V) Any Ballot that does not contain a signature.

(d) The following voting procedures and standard assumptions shall be used in tabulating ballots:

(A) The method of delivery of Ballots to be sent to the Debtor's counsel is at the election and risk of each creditor.

(B) If multiple Ballots are received from an individual party with respect to the same claims prior to the Voting Deadline, the last Ballot timely received will be deemed to reflect the voter's intent and to supersede and revoke any and all prior Ballots.

(C) Any Ballot that is properly completed, executed and timely returned to Debtor's counsel but does not indicate acceptance or rejection of the Plan is deemed to be a vote to accept the Plan. Creditors must vote all of their claims either to accept or reject the Plan and may not split their vote, and thus, Ballots of creditors that partially accept and partially reject the Plan will not be counted.

(D) The Debtor, in its sole discretion, may waive any defect in any Ballot at any time, either before or after the close of voting, and without notice, so long as the identity of the claimant and the intent of the claimant as to acceptance or rejection is apparent.

(E) In the event a designation is requested under § 1126(e) of the Bankruptcy Code, any vote to accept or reject the plan cast with respect to such claim will not be counted for purposes of determining whether the Plan has been accepted or rejected, unless the Court orders otherwise.

(F) Unless otherwise ordered by the Court, all questions as to the validity, form, eligibility (including time of receipt), and revocation or withdrawal of Ballots will be determined by the Debtor in its sole discretion, which determination shall be final and binding.

(G) The Debtor reserves the right to reject any and all Ballots not proper in form, the acceptance of which would, in the opinion of the Debtor, not be in accordance with the provisions of the Bankruptcy Code.

(H) Any defects or irregularities in connection with deliveries of Ballots must be cured within such time as the Debtor (or the Court) determines, and delivery of such Ballots will not be deemed to have been made until such irregularities have been cured or waived.

(I) Neither the Debtor, nor any other person or entity, will be under any duty to provide notification of defects or irregularities with respect to deliveries of Ballots, nor will any of them incur any liabilities for failure to provide such notification. Ballots previously furnished (and as to which any irregularities have not theretofore been cured or waived) will not be counted.

(J) If a timely-filed proof of claim is marked on the proof of claim as contingent or unliquidated or is designated as such by court order, unless the Court orders otherwise, such claim will be temporarily allowed for voting purposes only, and not for purposes of allowance, at \$1.00.

(K) If a claim is listed in the Schedules as contingent, unliquidated or disputed and a proof of claim was not (i) filed before the applicable bar date for filing such proof of claim or (ii) deemed timely filed by an order of the Court prior to the Voting Deadline, unless the Debtors have consented in writing, such claim will be

disallowed for voting purposes and for purposes of allowance and distribution pursuant to Fed. R. Bankr. P. 3003(c).

(iii) Objections to confirmation of the Plan. Objections to confirmation of the Plan must be filed and served on or before the Objection Deadline (as hereinafter defined). The Court shall consider only written objections that are timely filed and served, and only to the extent the objecting party states with particularity the grounds for objection. Objections not timely filed and served in accordance with the provisions of this subparagraph will be overruled. With regard to any timely-filed objection, the Debtor is authorized (but not required) to file a reply, if any, to any such objection, and a brief in support of confirmation of the Plan by no later than Friday, March 26, 2010.

(iv) Objections to Claims and Temporary Allowance of Claims for Voting Purposes. For a claim to be disallowed for voting purposes, a party must file an objection to that claim no later than March 1, 2010. For the holder of a claim to vote a claim to which an objection has been filed, the holder of that claim must file and serve a motion pursuant to Fed. R. Bankr. P. 3018(a) for temporary allowance of the claim for voting purposes and all evidence in support thereof so that it is received by the Court and by the counsel and United States Trustee listed below on or before March 18, 2010, at 4:30 p.m., Mountain Time. Such a motion for temporary allowance for voting purposes must be served on counsel to the Debtors, counsel to the Unsecured Creditors' Committee, the Office of the United States Trustee, and counsel for WestLB, AG. Any such motion that is timely filed and served will be heard by the Court at the Confirmation Hearing on Tuesday, March 30, 2010, at 1:30 p.m. Mountain Time.

(D) **The Plan Supplement.** The Debtor will file its Plan Supplement no later than Monday, March 15, 2010, and serve on that date copies of the Plan Supplement on counsel for WestLB, AG, counsel for the Unsecured Creditors' Committee, counsel for Jacobsen National, counsel for Owners of Third Party Units, counsel for David Wickline, on the 2002 Notice Parties, on the Office of the United States Trustee, and on any other party who submits a request to counsel for the Debtor no later than March 8, 2010. In addition, the Debtor will serve

a copy of the Plan Supplement on any party who, after March 15, 2010, submits a request to counsel for the Debtor.

(E) **The Confirmation Hearing and Plan-Related Deadlines.** The following dates and deadlines shall apply:

(i) The deadline by which the Debtor shall serve copies of the Solicitation Package upon all Claimants: **Friday, February 26, 2010** (the “**Deadline for Service of Solicitation Package**”).

(ii) The deadline by which ballots containing signatures must be **actually received** by the Debtor’s counsel, Crowell & Moring LLP: **Monday, March 22, 2010, at 4:30 p.m. Mountain Time** (the “**Voting Deadline**”);

(iii) The deadline for filing with the Court and completing service of objections to confirmation of the Plan: **Monday, March 22, 2010 at 4:30 p.m., Mountain Time** (the “**Objection Deadline**”);

(iv) The deadline for filing with the Court and completing service of the Debtor’s response to objections to confirmation and a memorandum in support of confirmation of the Plan: **Friday, March 26, 2010.**

(v) The deadline for the Debtor to file a report of the results of voting on the Plan: The commencement of the confirmation hearing; and

(vi) The hearing to consider confirmation of the Plan (the “Confirmation Hearing”) shall commence on **Tuesday, March 30, 2010 at 1:30 p.m., Mountain Time.** The Confirmation Hearing may be continued at any time; however, if continued other than at the scheduled Confirmation Hearing, the Debtor shall send a notice of the adjourned date by first class U.S. mail.

3. **Approval of Forms.**

- (a) The form of Confirmation Hearing Notice attached hereto as **Exhibit A** is approved.
- (b) The forms of Ballot attached hereto as **Exhibit B, C, D, E, and F** are approved for voting by holders of claims classified in Classes 1, 2, 4, 5, and 6 of the Plan, respectively.

4. The Debtor is hereby authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the provisions of this Order.

-----**END OF ORDER**-----

CLERK'S CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Order (A) Approving Amended Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 17, 2010, (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms of Ballots and Voting Procedures, and (E) Approving Notice and Scheduling Confirmation Hearing was served via electronic mail this ____ day of February, 2010, on the following parties:

Kenneth L. Cannon II
Durham Jones & Pinegar
P O Box 4050
Salt Lake City, UT 84110-4050

Michael V. Blumenthal
Crowell & Moring LLP
590 Madison Avenue, 20th Floor
New York, NY 10022

John T. Morgan
United States Trustee's Office
405 South Main Street, Suite 300
Salt Lake City, UT 84111

Adelaide Maudsley
Chapman & Cutler LLP
201 South Main Street, Suite 2000
Salt Lake City, UT 84111-2298

Anthony S. Fiotto
Goodwin Procter LLP
53 State Street
Boston, MA 02109

Brian W. Harvey
Goodwin Procter LLP
The New York Time Building
620 Eighth Avenue
New York, NY 10018-1405

Jeffrey Weston Shields
Lon A. Jenkins
Jones Waldo Holbrook & McDonough
170 South Main Street, Suite 1500
Salt Lake City, UT 84101-1644

Annette W. Jarvis, Esq.
Dorsey & Whitney LLP
136 South Main Street, Suite 1000
Salt Lake City, UT 84101-1685

Richard W. Havel, Esq.
Sidley Austin LLP
555 West Fifth Street
Los Angeles, CA 90013

Michael R. Johnson, Esq.
Ray Quinney & Nebeker
36 South State Street, Suite 1400
P O Box 45385
Salt Lake City, UT 84145-0385

BY THE COURT

EXHIBIT H

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:)	
)	
EASY STREET HOLDING, LLC, <i>et. al.</i>	)	Bankruptcy Case No. 09-29905
	)	Jointly Administered with Cases
Debtors	)	09-29907 and 09-29908
	)	(This ballot relates only to Case
	)	No. 09-29907 – Easy Street Partners, LLC)
Address: 201 Heber Avenue)	
Park City, UT 84060)	
	)	Chapter 11
Tax ID Numbers:)	
35-2183713 (Easy Street Holding, LLC),)	
20-4502979 (Easy Street Partners, LLC), and	)	Honorable R. Kimball Mosier
84-1685764 (Easy Street Mezzanine, LLC))	
)	

**BALLOT FOR ACCEPTING OR REJECTING THE AMENDED PLAN OF
REORGANIZATION OF EASY STREET PARTNERS, LLC**

Class 1 — Allowed WestLB Claim

**PLEASE READ AND FOLLOW THE ENCLOSED VOTING INSTRUCTIONS CAREFULLY BEFORE
COMPLETING THE BALLOT.**

**PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE YOUR ACCEPTANCE OR
REJECTION OF THE PLAN.**

**YOUR VOTE MUST BE RECEIVED BY CROWELL & MORING, LLP 590 MADISON AVENUE, NEW
YORK, NEW YORK 10022, ATTN: MICHAEL V. BLUMENTHAL (“DEBTOR’S COUNSEL” OR
“VOTING AGENT”) BY 4:30 PM. MOUNTAIN TIME, ON OR BEFORE MARCH 22, 2010 (THE
“VOTING DEADLINE”), UNLESS THE DEBTOR, IN ITS SOLE AND ABSOLUTE DISCRETION, OR
THE COURT EXTENDS OR WAIVES THE PERIOD DURING WHICH VOTES WILL BE ACCEPTED
BY THE DEBTOR, IN WHICH CASE THE TERM “VOTING DEADLINE” FOR SUCH SOLICITATION
SHALL MEAN THE LAST TIME AND DATE TO WHICH SUCH SOLICITATION IS EXTENDED.**

This Ballot may not be used for any purpose other than for casting votes to accept or reject the Amended Plan of Reorganization of Easy Street Partners, LLC (the “Plan”). All capitalized terms used in this Ballot or Voting Instructions (attached hereto) but not otherwise defined herein shall have the same meaning ascribed to them in the Order (A) Approving Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 17, 2010 (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing.

Item 1. Amount and Type of Claim

The undersigned is the holder of a Class 1 Claim in the Aggregate outstanding amount of \$_____.

Item 2. Class 1 Vote

The holder of the Class 1 Claim set forth in Item 1 votes (please check one):

☐

To Accept the Plan

☐

To Reject the Plan

Item 3. Certifications

By signing this Ballot, the undersigned certifies to the Bankruptcy Court and Easy Street Partners, LLC that:

(a) either (i) such person or entity is the beneficial interest holder of the Claim(s) being voted or (ii) such person or entity is an authorized signatory for some person or entity which is the beneficial interest holder of the Claim(s) being voted;

(b) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) has received a copy of the Disclosure Statement and Solicitation Package and will acknowledge that the solicitation is being made pursuant to the terms and conditions set forth therein;

(c) no other Ballots with respect to the amount of the Claim(s) identified in Item 1 have been cast or, if other Ballots have been cast with respect to such Claim(s), such earlier Ballots are hereby revoked; and

(d) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) shall be treated as the record holder of such Claim(s) for purposes of voting on the Plan.

Dated:_____

Name of Voter:_____
(Print or Type)

Signature:_____

By:_____
(If Appropriate)

Title:_____
(If Appropriate)

**PLEASE COMPLETE, SIGN AND DATE THE BALLOT AND RETURN IT PROMPTLY.
YOUR BALLOT MUST BE RECEIVED BY:**

Crowell & Moring LLP
590 Madison Avenue, 20th FL
New York, New York 10022
Attn: Michael V. Blumenthal

**BY 4:30 P.M. MOUNTAIN TIME ON OR
BEFORE MARCH 22, 2010 OR YOUR BALLOT WILL NOT BE COUNTED**

VOTING INSTRUCTIONS

1. Easy Street Partners, LLC (the “Debtor”) is soliciting the votes of holders of Claims with respect to the Plan referred to in the Disclosure Statement. All capitalized terms used in the Ballot or these Voting Instructions but not otherwise defined therein shall have the same meaning ascribed them in the Order (A) Approving Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 17, 2010 (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing.
2. The Plan can be confirmed by the Bankruptcy Court, and therefore made binding upon you, if it is accepted by holders of two-thirds in amount and more than one-half in number of debt claims who vote in each impaired class voting on the Plan. Please review the Disclosure Statement for more information. Prior to a distribution, the creditor’s Tax ID Number or Social Security Number must be presented to the Debtor and its counsel in order to receive a distribution.
3. To ensure that your vote is counted, you must (a) complete the Ballot, (b) indicate your decision to accept or reject the Plan in the boxes provided in Item 2 of the Ballot, and (c) sign and return the Ballot to the address set forth therein. **Your vote must be received by Debtor’s Counsel by 4:30 p.m. Mountain Time on or before March 22, 2010 (the “Voting Deadline”).**
4. If a Ballot is received after the Voting Deadline, it will not be counted. The method of delivery of Ballots to be sent to Debtor’s Counsel is at the election and risk of each holder of a Claim. Except as otherwise provided herein, such delivery will be deemed made only when the original executed Ballot is actually received by Debtor’s Counsel. Instead of effecting delivery by mail, it recommended, though not required, that such holders use an overnight or hand delivery service. In all cases, sufficient time should be allowed to assure timely delivery. No Ballot should be sent to the Debtor.
5. If multiple Ballots are received from an individual holder of Claim(s) with respect to the same Claim(s) prior to the Voting Deadline, the last Ballot timely received will supersede and revoke any earlier-received Ballot.
6. The Ballot is not a letter of transmittal and may not be used for any purpose other than to vote to accept or reject the Plan and to determine the alleged amount of a holder’s claim.
7. This Ballot does not constitute, and shall not be deemed to be, a proof of claim or equity interest or an assertion or admission of a claim or equity interest.
8. Please be sure to sign and date your Ballot. If you are completing the Ballot on behalf of an entity, indicate your relationship with such entity and the capacity in which you are signing. In addition, please provide your name and mailing address if different from that set forth on the attached mailing label or if no such mailing label is attached to the Ballot.
9. If you hold Claims in more than one class under the Plan, you may receive more than one Ballot. Each Ballot votes only the claims indicated on Ballot. Please complete and return each Ballot you received.
10. You must vote all of your claims within a particular class of the Plan either to accept or reject the Plan and may not split your vote. Accordingly, a ballot that partially rejects and partially accepts the Plan will not be counted.
11. Any Ballot that is properly completed, executed and timely returned to Debtor’s counsel but that does not indicate acceptance or rejection of the Plan, or indicates both acceptance and rejection of the Plan, may be deemed to be a vote to accept the Plan.
12. The following Ballots will not be counted in determining the acceptance or rejection of the Plan: (a) any Ballot that is illegible or contains insufficient information to permit the identification of the creditor or otherwise indicate an acceptance or rejection of the Plan; (b) any Ballot cast by a person or entity that does not hold a claim in a class that is entitled to vote on the Plan; (c) any Ballot cast for a claim scheduled as unliquidated, contingent or disputed for which no proof of claim was timely filed or an order of estimation or allowance by the Bankruptcy Code and (d) any unsigned Ballot and (e) any Ballot cast in bad faith as may be determined by the Bankruptcy Code.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:)	
)	
EASY STREET HOLDING, LLC, <i>et. al.</i>	)	Bankruptcy Case No. 09-29905
	)	Jointly Administered with Cases
Debtors	)	09-29907 and 09-29908
	)	(This ballot relates only to Case
	)	No. 09-29907 – Easy Street Partners, LLC)
Address: 201 Heber Avenue)	
Park City, UT 84060)	
	)	Chapter 11
Tax ID Numbers:)	
35-2183713 (Easy Street Holding, LLC),)	
20-4502979 (Easy Street Partners, LLC), and	)	Honorable R. Kimball Mosier
84-1685764 (Easy Street Mezzanine, LLC))	

**BALLOT FOR ACCEPTING OR REJECTING THE AMENDED PLAN OF
REORGANIZATION OF EASY STREET PARTNERS, LLC**

Class 2 — Allowed Jacobsen Claim

**PLEASE READ AND FOLLOW THE ENCLOSED VOTING INSTRUCTIONS CAREFULLY BEFORE
COMPLETING THE BALLOT.**

**PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE YOUR ACCEPTANCE OR
REJECTION OF THE PLAN.**

**YOUR VOTE MUST BE RECEIVED BY CROWELL & MORING, LLP 590 MADISON AVENUE, NEW
YORK, NEW YORK 10022, ATTN: MICHAEL V. BLUMENTHAL (“DEBTOR’S COUNSEL” OR
“VOTING AGENT”) BY 4:30 P.M. MOUNTAIN TIME, ON OR BEFORE MARCH 22, 2010 (THE
“VOTING DEADLINE”), UNLESS THE DEBTOR, IN ITS SOLE AND ABSOLUTE DISCRETION, OR
THE COURT EXTENDS OR WAIVES THE PERIOD DURING WHICH VOTES WILL BE ACCEPTED
BY THE DEBTOR, IN WHICH CASE THE TERM “VOTING DEADLINE” FOR SUCH SOLICITATION
SHALL MEAN THE LAST TIME AND DATE TO WHICH SUCH SOLICITATION IS EXTENDED.**

This Ballot may not be used for any purpose other than for casting votes to accept or reject the Amended Plan of Reorganization of Easy Street Partners, LLC (the “Plan”). All capitalized terms used in this Ballot or Voting Instructions (attached hereto) but not otherwise defined herein shall have the same meaning ascribed to them in the Order (A) Approving Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 17, 2010 (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing.

Item 1. Amount and Type of Claim

The undersigned is the holder of a Class 2 Claim in the Aggregate outstanding amount of \$_____.

Item 2. Class 2 Vote

The holder of the Class 5 Claim set forth in Item 1 votes (please check one):

☐

To Accept the Plan

☐

To Reject the Plan

Item 3. Certifications

By signing this Ballot, the undersigned certifies to the Bankruptcy Court and Easy Street Partners, LLC that:

(a) either (i) such person or entity is the beneficial interest holder of the Claim(s) being voted or (ii) such person or entity is an authorized signatory for some person or entity which is the beneficial interest holder of the Claim(s) being voted;

(b) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) has received a copy of the Disclosure Statement and Solicitation Package and will acknowledge that the solicitation is being made pursuant to the terms and conditions set forth therein;

(c) no other Ballots with respect to the amount of the Claim(s) identified in Item 1 have been cast or, if other Ballots have been cast with respect to such Claim(s), such earlier Ballots are hereby revoked; and

(d) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) shall be treated as the record holder of such Claim(s) for purposes of voting on the Plan.

Dated:_____

Name of Voter:_____
(Print or Type)

Signature:_____

By:_____
(If Appropriate)

Title:_____
(If Appropriate)

**PLEASE COMPLETE, SIGN AND DATE THE BALLOT AND RETURN IT PROMPTLY.
YOUR BALLOT MUST BE RECEIVED BY:**

Crowell & Moring LLP
590 Madison Avenue, 20th FL
New York, New York 10022
Attn: Michael V. Blumenthal

**BY 4:30 P.M. MOUNTAIN TIME ON OR BEFORE
MARCH 22, 2010 OR YOUR BALLOT WILL NOT BE COUNTED**

VOTING INSTRUCTIONS

1. Easy Street Partners, LLC (the “Debtor”) is soliciting the votes of holders of Claims with respect to the Plan referred to in the Disclosure Statement. All capitalized terms used in the Ballot or these Voting Instructions but not otherwise defined therein shall have the same meaning ascribed them in the Order (A) Approving Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 17, 2010 (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing.
2. The Plan can be confirmed by the Bankruptcy Court, and therefore made binding upon you, if it is accepted by holders of two-thirds in amount and more than one-half in number of debt claims who vote in each impaired class voting on the Plan. Please review the Disclosure Statement for more information. Prior to a distribution, the creditor’s Tax ID Number or Social Security Number must be presented to the Debtor and its counsel in order to receive a distribution.
3. To ensure that your vote is counted, you must (a) complete the Ballot, (b) indicate your decision to accept or reject the Plan in the boxes provided in Item 2 of the Ballot, and (c) sign and return the Ballot to the address set forth therein. **Your vote must be received by Debtor’s Counsel by 4:30 p.m. Mountain Time on or before March 22, 2010 (the “Voting Deadline”).**
4. If a Ballot is received after the Voting Deadline, it will not be counted. The method of delivery of Ballots to be sent to Debtor’s Counsel is at the election and risk of each holder of a Claim. Except as otherwise provided herein, such delivery will be deemed made only when the original executed Ballot is actually received by Debtor’s Counsel. Instead of effecting delivery by mail, it recommended, though not required, that such holders use an overnight or hand delivery service. In all cases, sufficient time should be allowed to assure timely delivery. No Ballot should be sent to the Debtor.
5. If multiple Ballots are received from an individual holder of Claim(s) with respect to the same Claim(s) prior to the Voting Deadline, the last Ballot timely received will supersede and revoke any earlier-received Ballot.
6. The Ballot is not a letter of transmittal and may not be used for any purpose other than to vote to accept or reject the Plan and to determine the alleged amount of a holder’s claim.
7. This Ballot does not constitute, and shall not be deemed to be, a proof of claim or equity interest or an assertion or admission of a claim or equity interest.
8. Please be sure to sign and date your Ballot. If you are completing the Ballot on behalf of an entity, indicate your relationship with such entity and the capacity in which you are signing. In addition, please provide your name and mailing address if different from that set forth on the attached mailing label or if no such mailing label is attached to the Ballot.
9. If you hold Claims in more than one class under the Plan, you may receive more than one Ballot. Each Ballot votes only the claims indicated on Ballot. Please complete and return each Ballot you received.
10. You must vote all of your claims within a particular class of the Plan either to accept or reject the Plan and may not split your vote. Accordingly, a ballot that partially rejects and partially accepts the Plan will not be counted.
11. Any Ballot that is properly completed, executed and timely returned to Debtor’s counsel but that does not indicate acceptance or rejection of the Plan, or indicates both acceptance and rejection of the Plan, may be deemed to be a vote to accept the Plan.
12. The following Ballots will not be counted in determining the acceptance or rejection of the Plan: (a) any Ballot that is illegible or contains insufficient information to permit the identification of the creditor or otherwise indicate an acceptance or rejection of the Plan; (b) any Ballot cast by a person or entity that does not hold a claim in a class that is entitled to vote on the Plan; (c) any Ballot cast for a claim scheduled as unliquidated, contingent or disputed for which no proof of claim was timely filed or an order of estimation or allowance by the Bankruptcy Code and (d) any unsigned Ballot and (e) any Ballot cast in bad faith as may be determined by the Bankruptcy Code.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:)	
)	
EASY STREET HOLDING, LLC, <i>et. al.</i>	)	Bankruptcy Case No. 09-29905
	)	Jointly Administered with Cases
Debtors	)	09-29907 and 09-29908
	)	(This ballot relates only to Case No. 09-29907 –
	)	Easy Street Partners, LLC)
Address: 201 Heber Avenue)	
Park City, UT 84060)	
	)	Chapter 11
Tax ID Numbers:)	
35-2183713 (Easy Street Holding, LLC),)	
20-4502979 (Easy Street Partners, LLC), and	)	Honorable R. Kimball Mosier
84-1685764 (Easy Street Mezzanine, LLC))	
)	

**BALLOT FOR ACCEPTING OR REJECTING THE AMENDED PLAN OF
REORGANIZATION OF EASY STREET PARTNERS, LLC**

Class 4 — General Unsecured Claims

**PLEASE READ AND FOLLOW THE ENCLOSED VOTING INSTRUCTIONS
CAREFULLY BEFORE COMPLETING THE BALLOT.**

**PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE YOUR
ACCEPTANCE OR REJECTION OF THE PLAN.**

**PLEASE CHECK THE APPROPRIATE BOX BELOW IN ITEM 3 TO INDICATE YOUR
ELECTION FOR OPTION 1 OR OPTION 2. IF YOU FAIL TO ELECT EITHER
OPTION 1 OR OPTION 2, THEN YOU SHALL BE DEEMED TO HAVE ELECTED OPTION 1.**

**YOUR VOTE MUST BE RECEIVED BY CROWELL & MORING, LLP 590 MADISON AVENUE, NEW YORK,
NY 10022, ATTN: MICHAEL V. BLUMENTHAL (“DEBTOR’S COUNSEL” OR “VOTING AGENT”) BY
4:30 PM MOUNTAIN TIME, ON OR BEFORE MARCH 22, 2010 (THE “VOTING DEADLINE”),
UNLESS THE DEBTOR, IN ITS SOLE AND ABSOLUTE DISCRETION, OR THE COURT EXTENDS
OR WAIVES THE PERIOD DURING WHICH VOTES WILL BE ACCEPTED BY THE DEBTOR,
IN WHICH CASE THE TERM “VOTING DEADLINE” FOR SUCH SOLICITATION SHALL MEAN
THE LAST TIME AND DATE TO WHICH SUCH SOLICITATION IS EXTENDED.**

This Ballot may not be used for any purpose other than for casting votes to accept or reject the Amended Plan of Reorganization of Easy Street Partners, LLC (the “Plan”). All capitalized terms used in this Ballot or Voting Instructions (attached hereto) but not otherwise defined herein shall have the same meaning ascribed to them in the the Order (A) Approving Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 17, 2010 (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing.

Item 1. Amount and Type of Claim

The undersigned is the holder of a Class 4 Claim in the Aggregate outstanding amount of \$_____.

Item 2. Class 4 Vote

The holder of the Class 4 Claim set forth in Item 1 votes (please check one):

☐

To Accept the Plan

☐

To Reject the Plan

Item 3. Election

In full and complete satisfaction, settlement and release of and in exchange for its Class 4 Claim, the holder of the Class 4 Claim set forth in Item 1 elects:

☐

Option 1.

The holder of the Class 4 Claim shall receive payment of 100% of their Allowed Claim, without interest, in equal quarterly payments, with the first payment due on October 15, 2010. Successive quarterly payments shall be on January 15th, April 15th and July 15th with the last payment July 15, 2013, which is approximately 3.5 years from the Effective Date.

☐

Option 2.

The holder of the Allowed Class 4 Claim shall receive payment of a discounted amount equal to 50% of their Allowed Claim on the thirtieth (30th) day after the Effective Date.

Item 4. Certifications

By signing this Ballot, the undersigned certifies to the Bankruptcy Court and Easy Street Partners, LLC that:

(a) either (i) such person or entity is the beneficial interest holder of the Claim(s) being voted or (ii) such person or entity is an authorized signatory for some person or entity which is the beneficial interest holder of the Claim(s) being voted;

(b) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) has received a copy of the Disclosure Statement and Solicitation Package and will acknowledge that the solicitation is being made pursuant to the terms and conditions set forth therein;

(c) no other Ballots with respect to the amount of the Claims identified in Item 1 have been cast or, if other Ballots have been cast with respect to such Claim(s), such earlier Ballots are hereby revoked; and

(d) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) shall be treated as the record holder of such Claim(s) for purposes of voting on the Plan.

Dated: _____

Name of Voter: _____
(Print or Type)

Signature: _____

By: _____
(If Appropriate)

Title: _____
(If Appropriate)

**PLEASE COMPLETE, SIGN AND DATE THE BALLOT AND RETURN IT PROMPTLY.
YOUR BALLOT MUST BE RECEIVED BY:**

Crowell & Moring LLP
590 Madison Avenue, 20th FL
New York, New York 10022
Attn: Michael V. Blumenthal

**BY 4:30 P.M. MOUNTAIN TIME ON OR
BEFORE MARCH 22, 2010 OR YOUR BALLOT WILL NOT BE COUNTED**

VOTING INSTRUCTIONS

1. Easy Street Partners, LLC (the “Debtor”) is soliciting the votes of holders of Claims with respect to the Plan referred to in the Disclosure Statement. All capitalized terms used in the Ballot or these Voting Instructions but not otherwise defined therein shall have the same meaning ascribed them in the the Order (A) Approving Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 17, 2010 (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing.
2. The Plan can be confirmed by the Bankruptcy Court, and therefore made binding upon you, if it is accepted by holders of two-thirds in amount and more than one-half in number of debt claims who vote in each impaired class voting on the Plan. Please review the Disclosure Statement for more information. Prior to a distribution, the creditor’s Tax ID Number or Social Security Number must be presented to the Debtor and its counsel in order to receive a distribution.
3. To ensure that your vote is counted, you must (a) complete the Ballot, (b) indicate your decision to accept or reject the Plan in the boxes provided in Item 2 of the Ballot, (c) indicate your election of treatment in the boxes provided in Item 3 of the Ballot, and (d) sign and return the Ballot to the address set forth therein. **Your vote must be received by Debtor’s Counsel by 4:00 p.m. Eastern Time on or before March __, 2010 (the “Voting Deadline”).**
4. If a Ballot is received after the Voting Deadline, it will not be counted. The method of delivery of Ballots to be sent to Debtor’s Counsel is at the election and risk of each holder of a Claim. Except as otherwise provided herein, such delivery will be deemed made only when the original executed Ballot is actually received by Debtor’s Counsel. Instead of effecting delivery by mail, it recommended, though not required, that such holders use an overnight or hand delivery service. In all cases, sufficient time should be allowed to assure timely delivery. No Ballot should be sent to the Debtor.
5. If multiple Ballots are received from an individual holder of Claim(s) with respect to the same Claim(s) prior to the Voting Deadline, the last Ballot timely received will supersede and revoke any earlier-received Ballot.
6. The Ballot is not a letter of transmittal and may not be used for any purpose other than to vote to accept or reject the Plan and to determine the alleged amount of a holder’s claim.
7. This Ballot does not constitute, and shall not be deemed to be, a proof of claim or equity interest or an assertion or admission of a claim or equity interest.
8. Please be sure to sign and date your Ballot. If you are completing the Ballot on behalf of an entity, indicate your relationship with such entity and the capacity in which you are signing. In addition, please provide your name and mailing address if different from that set forth on the attached mailing label or if no such mailing label is attached to the Ballot.
9. If you hold Claims in more than one class under the Plan, you may receive more than one Ballot. Each Ballot votes only the claims indicated on Ballot. Please complete and return each Ballot you received.
10. You must vote all of your claims within a particular class of the Plan either to accept or reject the Plan and may not split your vote. Accordingly, a ballot that partially rejects and partially accepts the Plan will not be counted.
11. Any Ballot that is properly completed, executed and timely returned to Debtor’s counsel but that does not indicate acceptance or rejection of the Plan, or indicates both acceptance and rejection of the Plan, may be deemed to be a vote to accept the Plan.
12. The following Ballots will not be counted in determining the acceptance or rejection of the Plan: (a) any Ballot that is illegible or contains insufficient information to permit the identification of the creditor or otherwise indicate an acceptance or rejection of the Plan; (b) any Ballot cast by a person or entity that does not hold a claim in a class that is entitled to vote on the Plan; (c) any Ballot cast for a claim scheduled as unliquidated, contingent or disputed for which no proof of claim was timely filed or an order of estimation or allowance by the Bankruptcy Code and (d) any unsigned Ballot and (e) any Ballot cast in bad faith as may be determined by the Bankruptcy Code.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:)	
)	
EASY STREET HOLDING, LLC, <i>et. al.</i>	)	Bankruptcy Case No. 09-29905
	)	Jointly Administered with Cases
Debtors	)	09-29907 and 09-29908
	)	(This ballot relates only to Case No. 09-
	)	29907 – Easy Street Partners, LLC)
Address: 201 Heber Avenue)	
Park City, UT 84060)	
	)	Chapter 11
Tax ID Numbers:)	
35-2183713 (Easy Street Holding, LLC),)	
20-4502979 (Easy Street Partners, LLC), and	)	Honorable R. Kimball Mosier
84-1685764 (Easy Street Mezzanine, LLC))	

**BALLOT FOR ACCEPTING OR REJECTING THE AMENDED PLAN OF
REORGANIZATION OF EASY STREET PARTNERS, LLC**

Class 5 — Allowed Ownership of Third Party Units Claim

**PLEASE READ AND FOLLOW THE ENCLOSED VOTING INSTRUCTIONS CAREFULLY BEFORE
COMPLETING THE BALLOT.**

**PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE YOUR ACCEPTANCE OR
REJECTION OF THE PLAN.**

**YOUR VOTE MUST BE RECEIVED BY CROWELL & MORING, LLP 590 MADISON AVENUE, NEW
YORK, NEW YORK 10022, ATTN: MICHAEL V. BLUMENTHAL (“DEBTOR’S COUNSEL” OR
“VOTING AGENT”) BY 4:30 P.M. MOUNTAIN TIME, ON OR BEFORE MARCH 22, 2010 (THE
“VOTING DEADLINE”), UNLESS THE DEBTOR, IN ITS SOLE AND ABSOLUTE DISCRETION, OR
THE COURT EXTENDS OR WAIVES THE PERIOD DURING WHICH VOTES WILL BE ACCEPTED
BY THE DEBTOR, IN WHICH CASE THE TERM “VOTING DEADLINE” FOR SUCH SOLICITATION
SHALL MEAN THE LAST TIME AND DATE TO WHICH SUCH SOLICITATION IS EXTENDED.**

This Ballot may not be used for any purpose other than for casting votes to accept or reject the Amended Plan of Reorganization of Easy Street Partners, LLC (the “Plan”). All capitalized terms used in this Ballot or Voting Instructions (attached hereto) but not otherwise defined herein shall have the same meaning ascribed to them in the Order (A) Approving Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 17, 2010 (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing.

Item 1. Amount and Type of Claim

The undersigned is the holder of a Class 5 Claim in the Aggregate outstanding amount of \$_____.

Item 2. Class 5 Vote

The holder of the Class 5 Claim set forth in Item 1 votes (please check one):

☐

To Accept the Plan

☐

To Reject the Plan

Item 3. Certifications

By signing this Ballot, the undersigned certifies to the Bankruptcy Court and Easy Street Partners, LLC that:

(a) either (i) such person or entity is the beneficial interest holder of the Claim(s) being voted or (ii) such person or entity is an authorized signatory for some person or entity which is the beneficial interest holder of the Claim(s) being voted;

(b) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) has received a copy of the Disclosure Statement and Solicitation Package and will acknowledge that the solicitation is being made pursuant to the terms and conditions set forth therein;

(c) no other Ballots with respect to the amount of the Claim(s) identified in Item 1 have been cast or, if other Ballots have been cast with respect to such Claim(s), such earlier Ballots are hereby revoked; and

(d) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) shall be treated as the record holder of such Claim(s) for purposes of voting on the Plan.

Dated:_____

Name of Voter:_____
(Print or Type)

Signature:_____

By:_____
(If Appropriate)

Title:_____
(If Appropriate)

**PLEASE COMPLETE, SIGN AND DATE THE BALLOT AND RETURN IT PROMPTLY.
YOUR BALLOT MUST BE RECEIVED BY:**

Crowell & Moring LLP
590 Madison Avenue, 20th FL
New York, New York 10022
Attn: Michael V. Blumenthal

**BY 4:30 P.M. MOUNTAIN TIME ON OR BEFORE
MARCH 22, 2010 OR YOUR BALLOT WILL NOT BE COUNTED**

VOTING INSTRUCTIONS

1. Easy Street Partners, LLC (the “Debtor”) is soliciting the votes of holders of Claims with respect to the Plan referred to in the Disclosure Statement. All capitalized terms used in the Ballot or these Voting Instructions but not otherwise defined therein shall have the same meaning ascribed them in the Order (A) Approving Disclosure Statement with Respect to Amended Plan of Reorganization of Easy Street Partners, LLC, Dated February 17, 2010 (B) Establishing a Record Date, (C) Approving Solicitation Procedures, (D) Approving Forms Of Ballots And Voting Procedures, and (E) Approving Notice of and Scheduling Confirmation Hearing.
2. The Plan can be confirmed by the Bankruptcy Court, and therefore made binding upon you, if it is accepted by holders of two-thirds in amount and more than one-half in number of debt claims who vote in each impaired class voting on the Plan. Please review the Disclosure Statement for more information. Prior to a distribution, the creditor’s Tax ID Number or Social Security Number must be presented to the Debtor and its counsel in order to receive a distribution.
3. To ensure that your vote is counted, you must (a) complete the Ballot, (b) indicate your decision to accept or reject the Plan in the boxes provided in Item 2 of the Ballot, and (c) sign and return the Ballot to the address set forth therein. **Your vote must be received by Debtor’s Counsel by 4:30 p.m. Mountain Time on or before March 22, 2010 (the “Voting Deadline”).**
4. If a Ballot is received after the Voting Deadline, it will not be counted. The method of delivery of Ballots to be sent to Debtor’s Counsel is at the election and risk of each holder of a Claim. Except as otherwise provided herein, such delivery will be deemed made only when the original executed Ballot is actually received by Debtor’s Counsel. Instead of effecting delivery by mail, it recommended, though not required, that such holders use an overnight or hand delivery service. In all cases, sufficient time should be allowed to assure timely delivery. No Ballot should be sent to the Debtor.
5. If multiple Ballots are received from an individual holder of Claim(s) with respect to the same Claim(s) prior to the Voting Deadline, the last Ballot timely received will supersede and revoke any earlier-received Ballot.
6. The Ballot is not a letter of transmittal and may not be used for any purpose other than to vote to accept or reject the Plan and to determine the alleged amount of a holder’s claim.
7. This Ballot does not constitute, and shall not be deemed to be, a proof of claim or equity interest or an assertion or admission of a claim or equity interest.
8. Please be sure to sign and date your Ballot. If you are completing the Ballot on behalf of an entity, indicate your relationship with such entity and the capacity in which you are signing. In addition, please provide your name and mailing address if different from that set forth on the attached mailing label or if no such mailing label is attached to the Ballot.
9. If you hold Claims in more than one class under the Plan, you may receive more than one Ballot. Each Ballot votes only the claims indicated on Ballot. Please complete and return each Ballot you received.
10. You must vote all of your claims within a particular class of the Plan either to accept or reject the Plan and may not split your vote. Accordingly, a ballot that partially rejects and partially accepts the Plan will not be counted.
11. Any Ballot that is properly completed, executed and timely returned to Debtor’s counsel but that does not indicate acceptance or rejection of the Plan, or indicates both acceptance and rejection of the Plan, may be deemed to be a vote to accept the Plan.
12. The following Ballots will not be counted in determining the acceptance or rejection of the Plan: (a) any Ballot that is illegible or contains insufficient information to permit the identification of the creditor or otherwise indicate an acceptance or rejection of the Plan; (b) any Ballot cast by a person or entity that does not hold a claim in a class that is entitled to vote on the Plan; (c) any Ballot cast for a claim scheduled as unliquidated, contingent or disputed for which no proof of claim was timely filed or an order of estimation or allowance by the Bankruptcy Code and (d) any unsigned Ballot and (e) any Ballot cast in bad faith as may be determined by the Bankruptcy Code.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:)	
)	
EASY STREET HOLDING, LLC, <i>et. al.</i>	)	Bankruptcy Case No. 09-29905
	)	Jointly Administered with Cases
Debtors	)	09-29907 and 09-29908
	)	(This ballot relates only to Case No.
	)	09-29907 – Easy Street Partners, LLC)
Address: 201 Heber Avenue)	
Park City, UT 84060)	
	)	Chapter 11
Tax ID Numbers:)	
35-2183713 (Easy Street Holding, LLC),)	
20-4502979 (Easy Street Partners, LLC), and	)	Honorable R. Kimball Mosier
84-1685764 (Easy Street Mezzanine, LLC))	
)	

**BALLOT FOR ACCEPTING OR REJECTING THE AMENDED PLAN OF
REORGANIZATION OF EASY STREET PARTNERS, LLC**

Class 6 — Interests

**PLEASE READ AND FOLLOW THE ENCLOSED VOTING INSTRUCTIONS CAREFULLY BEFORE
COMPLETING THE BALLOT.**

**PLEASE CHECK THE APPROPRIATE BOX BELOW TO INDICATE YOUR ACCEPTANCE OR
REJECTION OF THE PLAN.**

**YOUR VOTE MUST BE RECEIVED BY CROWELL & MORING, LLP 590 MADISON AVENUE, NEW
YORK, NEW YORK 10022, ATTN: MICHAEL V. BLUMENTHAL (“DEBTOR’S COUNSEL” OR
“VOTING AGENT”) BY 4:30 PM. MOUNTAIN TIME, ON OR BEFORE MARCH 22, 2010 (THE
VOTING DEADLINE”), UNLESS THE DEBTOR, IN ITS SOLE AND ABSOLUTE DISCRETION, OR
THE COURT EXTENDS OR WAIVES THE PERIOD DURING WHICH VOTES WILL BE ACCEPTED
BY THE DEBTOR, IN WHICH CASE THE TERM “VOTING DEADLINE” FOR SUCH SOLICITATION
SHALL MEAN THE LAST TIME AND DATE TO WHICH SUCH SOLICITATION IS EXTENDED.**

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Item 1. Amount and Type of Claim

The undersigned is the holder of a Class 6 Claim in the Aggregate outstanding amount of \$ _____.

Item 2. Class 6 Vote

The holder of the Class 6 Claim set forth in Item 1 votes (please check one):

☐ To Accept the Plan

☐ To Reject the Plan

Item 3. Certifications

By signing this Ballot, the undersigned certifies to the Bankruptcy Court and Easy Street Partners, LLC that:

(a) either (i) such person or entity is the beneficial interest holder of the Claim(s) being voted or (ii) such person or entity is an authorized signatory for some person or entity which is the beneficial interest holder of the Claim(s) being voted;

(b) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) has received a copy of the Disclosure Statement and Solicitation Package and will acknowledge that the solicitation is being made pursuant to the terms and conditions set forth therein;

(c) no other Ballots with respect to the amount of the Claims identified in Item 1 have been cast or, if other Ballots have been cast with respect to such Claims, such earlier Ballots are hereby revoked; and

(d) such person or entity (or in the case of an authorized signatory, the beneficial interest holder) shall be treated as the record holder of such Claim(s) for purposes of voting on the Plan.

Dated: _____

Name of Voter: _____
(Print or Type)

Signature: _____

By: _____
(If Appropriate)

Title: _____
(If Appropriate)

**PLEASE COMPLETE, SIGN AND DATE THE BALLOT AND RETURN IT PROMPTLY.
YOUR BALLOT MUST BE RECEIVED BY:**

Crowell & Moring LLP
590 Madison Avenue, 20th FL
New York, New York 10022
Attn: Michael V. Blumenthal

**BY 4:00 P.M. EASTERN TIME ON OR
BEFORE , MARCH __, 2010 OR YOUR BALLOT WILL NOT BE COUNTED**

VOTING INSTRUCTIONS

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